

matters that involve employing offices and covered employees other than GAO and the Library and their employees. The purpose of this rulemaking is to extend the rules to cover GAO and the Library and their employees for purposes of any proceedings in which GAO or the Library or their employees may be involved as employing offices or covered employees.

The Board of Directors has also proposed to extend its substantive regulations implementing sections 204, 205, and 215 of the CAA to cover GAO and the Library and their employees. The NPRM was published in the September 9, 1997 issue of the Congressional Record, at 143 Cong. Rec. S9014.

2. Record of Earlier Rulemakings

To avoid duplication of effort, the Executive Director plans to rely generally on the record of earlier rulemakings. The current Procedural Rules of the Office of Compliance were proposed, adopted, and amended in three phases during the past two years. See 141 Cong. Rec. S17012 (daily ed. Nov. 14, 1995) (NPRM); 141 Cong. Rec. S19239 (daily ed. Dec. 22, 1995) (final rules); 142 Cong. Rec. H7450 (daily ed. July 11, 1996) (NPRM); 142 Cong. Rec. S10980 (daily ed. Sept. 19, 1996) (final rules); 143 Cong. Rec. S25 (daily ed. Jan. 7, 1997) (NPRM); 143 Cong. Rec. H1879 (daily ed. Apr. 24, 1997) (final rules). A copy of the Procedural Rules of the Office of Compliance is available for inspection at the Law Library Reading Room, at the address and times stated at the beginning of this Notice, and may also be viewed or downloaded from the Office of Compliance's internet Website at <http://www.compliance.gov/proful3.html>, or <http://www.access.gpo.gov/compliance/proful3.html>.

3. Proposed Amendments

The Executive Director is presently aware of no reason why the procedural rules to cover GAO and the Library and their employees should be separate or substantively different from the rules already adopted for other employing offices and their employees. The Executive Director therefore proposes in this NPRM to extend the coverage of the rules already adopted to include GAO and the Library and their employees, and to make no other substantive change to the rules. Specifically, the NPRM proposes to amend the definitions established in section 1.02 of the Procedural Rules of the Office of Compliance: (a) by including the employees of GAO and the Library in the definition of "covered employee," (b) by including GAO and the Library in the definition of "employing office," and (c) by adding a new paragraph (q) to section 1.02 specifying that GAO and the Library and their employees are included in these definitions only for the purposes of proceedings involving sections 204, 205, 206, 207, or 215 of the CAA or for purposes of the rules regarding ex parte communications. A technical correction is also necessary in the language being amended.¹

4. Request for Comment

The Executive Director invites comment on these proposed amendments generally and invites comment specifically on whether there is any reason why the rules for GAO and the Library and their employees should be separate or different from the rules already adopted for other employing offices and their employees.

Signed at Washington, DC., on this 30th day of September, 1997.

RICKY SILBERMAN,
Executive Director,
Office of Compliance.

Accordingly, the Executive Director of the Office of Compliance hereby proposes the following amendments to the Procedural Rules of the Office of Compliance:

It is proposed that section 1.02 of the Procedural Rules of the Office of Compliance be amended by revising paragraphs (b) and (h) and by adding at the end of the section a new paragraph (q) to read as follows:

§ 1.02 Definitions.

"Except as otherwise specifically provided in these rules, for purposes of this Part:

- * * * * *
- "(b) Covered employee. The term "covered employee" means any employee of
 - "(1) the House of Representatives;
 - "(2) the Senate;
 - "(3) the Capitol Guide Service;
 - "(4) the Capitol Police;
 - "(5) the Congressional Budget Office;
 - "(6) the Office of the Architect of the Capitol;
 - "(7) the Office of the Attending Physician;
 - "(8) the Office of Compliance; or
 - "(9) for the purposes stated in paragraph (q) of this section, the General Accounting Office or the Library of Congress.
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"(h) Employing Office. The term "employing office" means:

- "(1) the personal office of a Member of the House of Representatives or a Senator;
- "(2) a committee of the House of Representatives or the Senate or a joint committee;
- "(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;
- "(4) the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; or
- "(5) for the purposes stated in paragraph (q) of this section, the General Accounting Office and the Library of Congress.

* * * * *

"(q) Coverage of the General Accounting Office and the Library of Congress and their Employees. The term "employing office" shall include the General Accounting Office and the Library of Congress, and the term "covered employee" shall include employees of the General Accounting Office and the Library of Congress, for purposes of the proceedings and rulemakings described in subparagraphs (1), (2), and (3):

"(1) The processing of any allegation that section 204, 205, or 206 of the Act has been violated, and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 204, 205, and 206 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

- "(i) the Employee Polygraph Protection Act of 1988,
- "(ii) the Worker Adjustment and Retraining Notification Act, and
- "(iii) the Chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

"(2) The enforcement of the inspection and citation provisions of section 215(c)(1), (2), (3) of the Act, and proceedings to grant variances under section 215(c)(4) of the Act. Section 215 of the Act applies to covered employees and employing offices certain rights and protections of the Williams-Steiger Occupational Safety and Health Act of 1970.

"(3) Any proceeding or rulemaking, for purposes of section 9.04 of these rules."

TREASURY/POSTAL APPROPRIATIONS CONFERENCE REPORT

Mr. GRAHAM. Mr. President, I appreciate the chance to record my comments regarding the conference report on the Treasury-Postal appropriations bill.

This legislation will help fund national functions, such as law enforcement and delivery of the mail. The law-enforcement provisions include an important anticrime initiative for Florida, which is strongly supported by public-safety officials. The anticrime provision would fund the establishment of a high intensity drug trafficking area in central Florida.

I have worked closely with colleagues Senator CONNIE MACK and Congressman JOHN MICA of Florida to include this measure in the conference report.

In an effort to fight crime and to support law enforcement, I voted for the conference report for the appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 1998.

This conference report also contains a provision to adjust congressional pay for cost of living. When the Senate considered its version of this appropriations bill, the legislation did not include a pay adjustment for Members of Congress. The record reflects that I support the Senate version of this legislation that was submitted to a House-Senate conference.

If I had the opportunity to vote on the proposed adjustment as a separate, stand-alone measure, I would have voted "no."

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on October 1, 1997, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 2203. An act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bill was signed on October 1,

¹In section 1.02(b) of the Procedural Rules of the Office of Compliance, reference to the Office of Technology Assessment is being removed, as that office no longer exists.